

REMARKS/ARGUMENTS

Favorable reconsideration of this application is respectfully requested.

Claims 1-14 are pending in this application. The drawings were objected to under 37 C.F.R. § 1.83(a). Claims 1-7 were rejected under 35 U.S.C. § 112, first paragraph. Claims 1-14 were rejected under 35 U.S.C. § 112, second paragraph.

Claims 1, 7, 8, and 14 were rejected under 35 U.S.C. § 102(e) as anticipated by U.S. patent 6, 546,052 to Maeda et al. (herein "Maeda"). Claims 2, 3, 9, and 10 were rejected under 35 U.S.C. § 103(a) as unpatentable over Maeda. Claims 4 and 11 were rejected under 35 U.S.C. § 103(a) as unpatentable over Maeda as applied to claims 1-3, 8-10, and 14, and further in view of U.S. patent 6,611,628 to Sekiguchi et al. (herein "Sekiguchi"). Claims 5, 6, 12, and 13 were rejected under 35 U.S.C. § 103(a) as unpatentable over Maeda and Sekiguchi as applied to claims 1-4, 8-11, and 14, and further in view of U.S. patent 6,400,890 to Nagasaka et al. (herein "Nagasaka").

Addressing first the objection to the drawings under 37 C.F.R. § 1.838, that rejection is obviated by the present response.

More particularly, filed with the present response is a substitute Figure 1 which shows each of the "scene dividing device", "second feature amount computing device" and "scene selector" as part of element 220, originally noted as the "feature amount computing device". As noted in the present specification at page 21, line 25, to page 26, line 13, the feature amount computing device 220 has each of the functions of a "first feature amount computing device", "scene dividing device", and "second feature amount computing device". Thus, amending Figure 1 to include such elements is believed to address the outstanding objection to the drawings and is not believed to raise any issues of new matter.

Addressing now the rejection of claims 1-7 under 35 U.S.C. § 112, first paragraph, that rejection is traversed by the present response.

As noted above a substitute Figure 1 is submitted herein to fully support the claims and not to raise any issues of new matter. The submission of that substitute Figure 1 is believed to address the rejection of claims 1-7 under 35 U.S.C. § 112, first paragraph.

Addressing now the rejection of claims 1-14 under 35 U.S.C. § 112, second paragraph, that rejection is traversed by the present response.

The claims are amended by the present response to clarify the language therein and to address the specific noted language in paragraph 4 of the Office Action. The claim amendments are not believed to raise any issues of new matter and are believed to address the outstanding rejections under 35 U.S.C. § 112, second paragraph.

Addressing now each of the above-noted rejections based on Maeda, Maeda in view of Sekiguchi, and Maeda and Sekiguchi in view of Nagasaka, those rejections are traversed by the present response.

Applicants initially note that the claims are amended by the present response to make clarifications, which are not deemed to raise any issues of new matter.

Maeda discloses in Figures 1-5 an image processing apparatus in which an image of a person is extracted as a rectangular texture, and a blue-back portion is extracted to generate mask information. Image data of the texture and mask information is input to the object encoding unit 105. In other words, in Maeda an object and a background are separately captured, encoded, and then combined. In Maeda the object and background of a single frame are separately extracted and then encoded.

In contrast to the teachings in Maeda, in claim 1 as currently written a video image is divided into a plurality of scenes in accordance with a statistical feature amount and each of the scenes includes a frame or continuous frames, as now clarified in independent claim 1. Such an operation differs from the teachings in Maeda of merely extracting an object in the background for a single frame.

Such an operation of image division is described in the present specification at page 22, line 14, to page 23, line 13, as a non-limiting example.

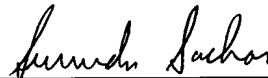
Moreover, no teachings in Sekiguchi or Nagasaka are believed to overcome the above-noted deficiencies in Maeda.

In such ways, applicants respectfully submit that each of the claims as currently written distinguishes over the applied art.

As no other issues are pending in this application, it is respectfully submitted the present application is now in condition for allowance, and it is hereby respectfully requested that this case be passed to issue.

Respectfully submitted,

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